



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/806,631	03/23/2004	Herbert T. Flentye	28022-100

23644  
BARNES & THORNBURG  
P.O. BOX 2786  
CHICAGO, IL 60690-2786



CONFIRMATION NO. 2633  
FORMALITIES LETTER



\*OC000000012895804\*

Date Mailed: 06/08/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

### Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Replacement drawings in compliance with 37 CFR 1.84 and 37 CFR 1.121 are required. The drawings submitted are not acceptable because:
  - The drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch). See Figures(s) 1-3, 5.
  - The drawings have a line quality that is too light to be reproduced (weight of all lines and letters must be heavy enough to permit adequate reproduction) or text that is illegible (reference characters, sheet numbers, and view numbers must be plain and legible) see 37 CFR 1.84(l) and (p)(1)); See Figure(s) 1-3, 5.
  - The drawings submitted to the Office are not electronically reproducible. Drawing sheets must be submitted on paper, which is flexible, strong, white, smooth, non-shiny, and durable (see 37 CFR 1.84(e)). See Figure(s) 1-3, 5.

09/14/2004 SSESHE1 00000045 10806631 65.00 DP 01 FC:2051

**SUMMARY OF FEES DUE:**

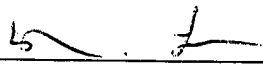
Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

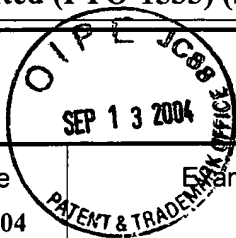
PART 2 - COPY TO BE RETURNED WITH RESPONSE

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.  
NEW - 28022-95786

In Re Application Of:

Flentye et al.



Application No.  
10/806,631

Filing Date  
March 23, 2004

Examiner

Customer No.  
23644

Group Art Unit  
3764

Confirmation No.

Invention: Stepping Structure for Aerobic Exercise

TO THE COMMISSIONER FOR PATENTS:

Mail Stop Missing Parts

The fee of \$120.00 is to be paid as follows:

- ☒ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 12-0913
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 12-0913

09/14/2004 SSESHE1 00000045 10806631

02 TC:2251

55.00 OP

Dated: September 8, 2004

Thomas J. Donovan  
Registration No. 33,231

Barnes & Thornburg LLP  
PO Box 2786  
Chicago, IL 60690-2786  
(312) 357-1313 Telephone

I certify that this document and fee is being deposited on September 8, 2004 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Signature of Person Mailing Correspondence

Gloria Vega

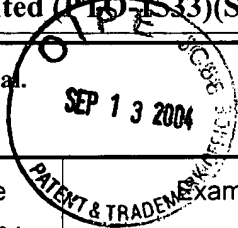
Typed or Printed Name of Person Mailing Correspondence

CC:

**Response To Notice To File Missing Parts Of Application  
Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
New 28022-95786

In Re Application Of: Flentye et al.



Application No.  
10/806,631

Filing Date  
March 23, 2004

Examiner

Customer No.  
23644

Group Art Unit  
3764

Confirmation No.

Invention: Stepping Structure for Aerobic Exercise

Mail Stop Missing Parts

COMMISSIONER FOR PATENTS:

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on  
June 8, 2004  
Date

Enclosed herewith for filing are the following:

- ☒ A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). **(REQUIRED)**
- ☒ An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- ☒ A properly signed oath or declaration in compliance with 37 CFR 1.63.
- ☐ An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- ☐ A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- ☐ \_\_\_\_\_ verified small entity declaration(s)
  - ☐ is/are attached.
  - ☐ was/were filed on \_\_\_\_\_
- ☐ A separate request for refund.
- ☐ Other (list):

Power of Attorney  
Assignment  
Declaration

**Response To Notice To File Missing Parts Of Application**  
**Filing Date Granted (PTO-1533)(Small Entity)**

Docket No.  
**NEW - 28022-95786**

**In Re Application Of:**  
**Flentye et al.**

SEP 13 2004

Application No.  
10/806,631

**Filing Date**  
**March 23, 2004**

Examiner

Customer No.  
23644

Group Art Unit  
3764

Confirmation No.

**Invention: Stepping Structure for Aerobic Exercise**

TO THE COMMISSIONER FOR PATENTS:

## Mail Stop Missing Parts

- ☐ Completion of application fees as calculated below:

- ☐
- Utility application filing fee

- ☐
- Design application filing fee

- ☐ Total number of independent claims =

- ☐ Total number of claims =

- ☐ Multiple dependent claims

- |   |                |
|---|----------------|
| <input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath | <b>\$65.00</b> |
|---|----------------|

- ☐ Petition and fee for filing by other than all the inventors or a person not the inventor

- ☐
- Fee for processing an application filed with a non-English language specification

- ☐
- Fee for processing and retention of application

**Total completion of application fees** **\$65.00**

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

- ☒ One month      ☐ Two months      ☐ Three months      ☐ Four months      ☐ Five months

from: August 8, 2004  
Date

until: September 8, 2004  
Date

Total time extension fees \$55.00

**Total fees due                      \$120.00**